

103D CONGRESS
1ST SESSION

H. R. 690

To amend the National Literacy Act of 1991 to establish in the Department of Labor an Office of Workplace Education to provide workplace education services to small businesses and to provide grants to States to improve the productivity of those businesses.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 27, 1993

Mr. REGULA introduced the following bill; which was referred to the
Committee on Education and Labor

A BILL

To amend the National Literacy Act of 1991 to establish in the Department of Labor an Office of Workplace Education to provide workplace education services to small businesses and to provide grants to States to improve the productivity of those businesses.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Workplace Education
5 Act of 1993”.

1 **SEC. 2. ESTABLISHMENT OF OFFICE OF WORKPLACE EDU-**
2 **CATION IN DEPARTMENT OF LABOR.**

3 (a) IN GENERAL.—Section 201 of the National Lit-
4 eracy Act of 1991 (Public Law 102–73; 105 Stat. 342)
5 is amended—

6 (1) by striking subsections (a) and (b);

7 (2) by redesignating subsection (c) as sub-
8 section (d); and

9 (3) by inserting before subsection (d) the fol-
10 lowing new subsections:

11 “(a) ESTABLISHMENT.—

12 “(1) IN GENERAL.—The Secretary of Labor
13 shall establish in the Employment and Training Ad-
14 ministration an Office of Workplace Education for
15 the purpose of providing workplace education serv-
16 ices to small businesses.

17 “(2) DIRECTOR.—The Office of Workplace
18 Education shall have a Director (in this section re-
19 ferred to as the ‘Director’), who shall be paid at a
20 rate equal to level 5 of the Executive Schedule.

21 “(b) DUTIES.—The Director shall—

22 “(1) establish and carry out the workplace edu-
23 cation grant program under subsection (c), includ-
24 ing—

1 “(A) establishing standards for the estab-
2 lishment, staffing, and activities of State offices
3 of workplace education;

4 “(B) establishing standards for the em-
5 ployment, qualifications, training, and activities
6 of workforce specialists;

7 “(C) establishing standards for the admin-
8 istration of State demonstration grant pro-
9 grams;

10 “(D) providing States with technical as-
11 sistance in providing workplace education serv-
12 ices; and

13 “(E) monitoring and collecting information
14 on—

15 “(i) the performance of States under
16 the grant program; and

17 “(ii) problems relating to workplace
18 education and the provision of workplace
19 services to solve such problems nationwide;

20 “(2) conduct national research and development
21 projects to improve the understanding of workplace
22 education, including—

23 “(A) funding and evaluating demonstration
24 programs in workplace education;

1 “(B) assessing and evaluating workplace
2 education programs; and

3 “(C) assessing and evaluating State and
4 national policies affecting workplace education;

5 “(3) develop and disseminate information on
6 workplace education on a nationwide basis; and

7 “(4) enlist small businesses, labor organiza-
8 tions, and other appropriate entities in efforts to dis-
9 seminate information and provide technical assist-
10 ance on workplace education to the employees or
11 members of such entities.

12 “(c) WORKPLACE EDUCATION GRANT PROGRAM.—

13 “(1) AUTHORIZATION.—

14 “(A) STATES.—The Director shall provide
15 grants to States for the purpose of establishing
16 workplace education programs to improve the
17 productivity of small businesses in such States.

18 “(B) TERRITORIES.—

19 “(i) IN GENERAL.—Not more than 1
20 percent of the amount authorized to be ap-
21 propriated to carry out this section for
22 each fiscal year shall be used by the Direc-
23 tor to provide grants to the territories for
24 the purpose of establishing workplace edu-

1 cation programs to improve the productiv-
2 ity of small businesses in such territories.

3 “(ii) REQUIREMENTS.—To receive a
4 grant under clause (i), a territory shall
5 comply with requirements similar to the re-
6 quirements for States in this subsection, as
7 determined by the Director.

8 “(C) PERIOD OF GRANT.—A grant under
9 subparagraph (A) or (B) may extend over a pe-
10 riod of not more than 5 fiscal years. The provi-
11 sion of payments under such grant shall be sub-
12 ject to annual approval by the Director and
13 subject to the availability of appropriations for
14 the fiscal year involved to make the payments.

15 “(2) APPLICATION.—

16 “(A) IN GENERAL.—To receive a grant
17 under paragraph (1)(A), a State shall submit to
18 the Director an application which contains—

19 “(i) a plan containing the number of
20 workforce education districts to be estab-
21 lished by the State office in accordance
22 with paragraph (3)(B)(i); and

23 “(ii) such information as the Director
24 may reasonably require.

1 “(B) ASSURANCES.—Such application shall
2 include assurances that the State shall—

3 “(i) use Federal funds received from a
4 grant under paragraph (1)(A) to supple-
5 ment, not supplant, non-Federal funds
6 that would otherwise be available for
7 projects funded under such paragraph;

8 “(ii) submit, for any fiscal year in
9 which such State receives funds from a
10 grant under such paragraph, a report to
11 the Director describing the use of such
12 grant, including—

13 “(I) the number of small busi-
14 nesses receiving assistance pursuant
15 to paragraph (3)(B); and

16 “(II) any other information the
17 Director determines to be appropriate;
18 and

19 “(iii) use not less than 17 percent of
20 amounts received from a grant under para-
21 graph (1)(A) to establish and carry out the
22 demonstration grant program under para-
23 graph (3)(D).

1 “(3) USE OF FUNDS.—Grants made under
2 paragraph (1)(A) may be used by a State only in ac-
3 cordance with the following requirements:

4 “(A) ESTABLISHMENT OF STATE OFFICE
5 OF WORKPLACE EDUCATION.—The State shall,
6 for the purpose of providing workplace edu-
7 cation services in such State, establish a State
8 office of workplace education in 1 of the follow-
9 ing entities:

10 “(i) A State agency that has respon-
11 sibility for education, training, or economic
12 development policy.

13 “(ii) A State literacy resource center
14 established pursuant to section 356 of the
15 Adult Education Act (20 U.S.C. 1208aa).

16 “(iii) An institution of higher edu-
17 cation.

18 “(B) DUTIES.—The State office estab-
19 lished under subparagraph (A) shall meet the
20 following requirements:

21 “(i) Subject to subparagraph (C), the
22 State office shall establish workplace edu-
23 cation districts throughout the State—

24 “(I) in which at least 1 institu-
25 tion of higher education which has ex-

1 isting workplace education programs
2 (or will establish such programs not
3 later than the date on which the State
4 in which such institution is located
5 will receive a grant under paragraph
6 (1)(A)) is located, to provide small
7 businesses with access to workplace
8 education programs; and

9 “(II) which are of a sufficient
10 number in order to allow ease of ac-
11 cess by small businesses located in the
12 State to utilize the services provided
13 at institutions of higher education lo-
14 cated in each district.

15 “(ii) The State office shall hire
16 workforce specialists and place 1 workforce
17 specialist, including necessary support
18 staff, in 1 of the institutions of higher edu-
19 cation located in each district to—

20 “(I) serve as a local point of con-
21 tact for small businesses interested in
22 workplace education programs at such
23 institution or other suitable education
24 providers;

1 “(II) analyze the needs of indi-
2 vidual small businesses for the pur-
3 pose of designing workplace education
4 programs that meet the needs of such
5 businesses;

6 “(III) refer small businesses to
7 such institution or other suitable edu-
8 cation providers for the purpose of
9 providing workplace education pro-
10 grams to the employees of such busi-
11 nesses, provided that such businesses
12 shall reimburse such institution or
13 other suitable education provider in
14 an amount equal to at least 75 per-
15 cent of the cost of the programs at-
16 tributable to such businesses, includ-
17 ing instructional time, materials, and
18 facilities;

19 “(IV) assist in negotiating finan-
20 cial, logistical, and other arrange-
21 ments between small businesses and
22 the institution of higher education or
23 suitable education provider;

24 “(V) provide technical assistance
25 and training to the staff of the insti-

1 tution of higher education or suitable
2 education provider for the purpose of
3 providing workplace education pro-
4 grams;

5 “(VI) enlist the help of small
6 businesses and labor groups in the
7 provision of such programs; and

8 “(VII) provide small businesses
9 with information on workplace edu-
10 cation services in general.

11 “(iii) The State office shall monitor
12 and supervise the activities of workforce
13 specialists.

14 “(iv) The State office shall encourage
15 local educational agencies and other local
16 agencies, small businesses, labor organiza-
17 tions, community-based organizations, and
18 other private organizations to cooperate
19 with workforce specialists.

20 “(v) The State office shall produce
21 and disseminate information to the entities
22 described in clause (iv) and the general
23 public on the need for and means of imple-
24 menting workplace education programs.

1 “(vi) The State office shall conduct
2 research and demonstration programs to
3 promote the understanding and acceptance
4 of workplace education and encourage the
5 use of and improvement of state-of-the-art
6 workplace education services.

7 “(vii) The State office shall, in con-
8 junction with the Office of Workplace Edu-
9 cation and workforce specialists, conduct
10 Statewide or regional training programs
11 for teachers and administrators at institu-
12 tions of higher education, small businesses,
13 labor organizations, community-based or-
14 ganizations, and other individuals and enti-
15 ties that are engaged, or wish to become
16 engaged, in the provision of workplace edu-
17 cation services.

18 “(C) WORKPLACE EDUCATION DISTRICT
19 REQUIREMENTS.—In establishing workplace
20 education districts, the State office shall—

21 “(i) if the amount of the grant re-
22 ceived by the State under paragraph
23 (1)(A) is greater than an amount equal to
24 \$100,000 multiplied by the number of such
25 districts established by the State in its ap-

1 plication, place at least 1 workforce spe-
2 cialist at an institution of higher education
3 in each district; and

4 “(ii) if the amount of the grant re-
5 ceived by the State under paragraph
6 (1)(A) is less than an amount equal to
7 \$100,000 multiplied by the number of such
8 districts established by the State in its ap-
9 plication, place at least 1 workforce spe-
10 cialist at an institution of higher education
11 in each district that the State office deter-
12 mines to be appropriate.

13 “(D) DEMONSTRATION GRANT PRO-
14 GRAM.—

15 “(i) IN GENERAL.—The State office
16 shall make grants to eligible small busi-
17 nesses for the purpose of paying the cost
18 of instructional services and course mate-
19 rials of any workplace education program
20 conducted pursuant to subparagraph (B)
21 attributable to the employees of such busi-
22 nesses.

23 “(ii) APPLICATION.—To receive a
24 grant under clause (i), an eligible small
25 business shall submit an application to the

1 State office at such time, in such form,
2 and containing such information as the of-
3 fice may reasonably require.

4 “(iii) USE OF FUNDS.—Grants made
5 under clause (i) may be used by an eligible
6 small business only to reimburse an insti-
7 tution of higher education for the cost of
8 instructional services and course materials
9 of any workplace education program con-
10 ducted pursuant to subparagraph (B) at-
11 tributable to the employees of such busi-
12 ness.

13 “(iv) ALLOCATION REQUIREMENT.—
14 The State office may not make grants
15 under clause (i) to any eligible small busi-
16 ness in an amount equal to or more than
17 \$25,000.

18 “(v) ELIGIBLE SMALL BUSINESS DE-
19 FINED.—For purposes of this subpara-
20 graph, the term ‘eligible small business’
21 means a business with 75 or fewer employ-
22 ees.

23 “(4) ADDITIONAL REQUIREMENTS.—

24 “(i) ADMINISTRATIVE COSTS.—Of the
25 amount received from a grant under para-

graph (1)(A), the State shall not use more than 8 percent of such amount for administrative costs, of which not less than 5 percent, or \$300,000, whichever is greater, shall be used for administrative costs incurred by the State office of workplace education established under paragraph (3)(A). If the State uses less than 8 percent of such amount, then the remainder of such amount shall be included in the amount used by the State to carry out the demonstration grant program established under paragraph (3)(D).

“(ii) MATCHING FUNDS.—The State shall provide non-Federal funds in any fiscal year for the purpose of conducting the program under paragraph (1)(A), in an amount equal to—

“(I) with respect to the 1st and 2nd fiscal years in which a State receives funds from a grant under paragraph (1)(A), not less than 20 percent of Federal funds provided to the State in each of such fiscal years;

1 “(II) with respect to the 3rd and
2 4th fiscal years in which a State re-
3 ceives funds from a grant under para-
4 graph (1)(A), not less than 30 percent
5 of Federal funds provided to the State
6 in each of such fiscal years; and

7 “(III) with respect to the 5th fis-
8 cal year in which a State receives
9 funds from a grant under paragraph
10 (1)(A), not less than 40 percent of
11 Federal funds provided to the State in
12 such fiscal year.

13 “(5) ALLOCATION REQUIREMENT BASED ON
14 POPULATION.—

15 “(A) IN GENERAL.—In providing grants
16 under paragraph (1)(A), the Director shall
17 award grants in a greater amount to States
18 with larger populations, as determined by the
19 Director.

20 “(B) LIMITATION.—The Director shall not
21 provide grants under paragraph (1)(A) in a fis-
22 cal year to any State in an amount totaling
23 more than 10 percent of amounts appropriated
24 to carry out this section for that fiscal year.

1 “(6) REPORT.—Not later than September 30,
2 1994, and at the end of each fiscal year thereafter,
3 the Secretary of Labor shall submit to the President
4 and the Congress a report containing—

5 “(A) a compilation of the information con-
6 tained in the reports received by the Director
7 under paragraph (2)(B)(ii); and

8 “(B) an evaluation of the effectiveness of
9 the grant program.

10 “(7) DEFINITIONS.—For purposes of this sec-
11 tion, the following definitions apply:

12 “(A) INSTITUTION OF HIGHER EDU-
13 CATION.—The term ‘institution of higher edu-
14 cation’ has the meaning given such term in sec-
15 tion 1201(a) of the Higher Education Act of
16 1965 (20 U.S.C. 1141(a)).

17 “(B) SMALL BUSINESS.—The term ‘small
18 business’ means a business with 500 or fewer
19 employees.

20 “(C) STATE.—The term ‘State’ means
21 each of the several States and the District of
22 Columbia.

23 “(D) TERRITORIES.—The term ‘territories’
24 means American Samoa, the Federated States
25 of Micronesia, Guam, the Republic of the Mar-

1 shall Islands, the Commonwealth of the North-
2 ern Mariana Islands, the Commonwealth of
3 Puerto Rico, Palau, and the Virgin Islands.

4 “(E) WORKPLACE EDUCATION.—The term
5 ‘workplace education’ means employer-spon-
6 sored formal instructional programs for workers
7 which—

8 “(i) shall include programs to improve
9 1 or more academic skills, including read-
10 ing, writing, mathematics, or English as a
11 2nd language; and

12 “(ii) may include programs to improve
13 1 or more process skills, including prob-
14 lem-solving and interpersonal skills (such
15 as effective communication and analytic
16 reasoning).”.

17 (b) CONFORMING AMENDMENTS.—The heading of
18 section 201 of the National Literacy Act of 1991 is
19 amended to read as follows:

20 **“SEC. 201. OFFICE OF WORKPLACE EDUCATION.”.**

21 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

22 Section 3(a)(1) of the Job Training Partnership Act
23 is amended by adding at the end the following new sen-
24 tence:

1 “Of the sums appropriated and made available
2 to carry out part A of title II for each such fiscal
3 year, an amount equal to 7 percent of such amount
4 shall be made available to carry out section 201 of
5 the National Literacy Act of 1991 (Public Law 102-
6 73; 105 Stat. 342).”.

7 **SEC. 4. REDUCTION IN PERCENTAGE OF NON-ECONOMI-**
8 **CALLY DISADVANTAGED INDIVIDUALS**
9 **UNDER PART A OF TITLE II OF THE JOB**
10 **TRAINING PARTNERSHIP ACT.**

11 Section 203(c) of the Job Training Partnership Act
12 is amended in the 1st sentence by striking “10 percent”
13 and inserting “4 percent”.

14 **SEC. 5. EFFECTIVE DATE.**

15 This Act and the amendments made by this Act shall
16 take effect on the date of the enactment of this Act, or
17 October 1, 1993, whichever occurs later.

○

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